

23-2156

IN THE  
**United States Court of Appeals  
for the Fourth Circuit**

Richmond, Virginia

ANDREW U. D. STRAW,	)	
<i>Appellant-Plaintiff, Pro Se,</i>	)	
	)	
v.	)	
	)	CAMP LEJEUNE JUSTICE ACT
UNITED STATES,	)	
<i>Appellee-Defendant.</i>	)	ORAL ARG. NOT REQUESTED

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Appeal from the United States District Court for  
the Eastern District of North Carolina, Southern Division  
Case No. 7:23-cv-00162-BO-BM  
The Honorable Judge Terrence W. Boyle

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NOTICE OF TRIAL JUDGE SUGGESTION THAT SOME TRIALS UNDER  
CLJA MAY STILL BE PENDING 20 YEARS FROM NOW

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SERVICE BY EMAIL (ENOTICE) PREFERRED

I, *Appellant* Andrew U. D. Straw, make this NOTICE that the judges in this CLJA action are already talking about some trials happening 20 years from now, making my demand for health care and education until my trial absolutely necessary:

1. This appeal was filed to address the Dkt. [59](#) ORDER of the trial court that failed to make any factual finding or provide any legal basis besides simply concluding without reasoning that my Dkt. [56](#) motion did not demonstrate good cause for leave to file it when in fact it did.
2. Now, I notice in a transcript filed on 11/9/2023 in the combined lawsuit, 7:23-cv-897, at Dkt. [44-2](#), **page 49**, that Judge Dever made a casual suggestion that some CLJA trials may be **ongoing 20 years from now**. I am left speechless, in poverty, suffering pain and humiliation daily, while the DOJ and these judges still have not provided justice **15 months** after Congress told them with CLJA to provide justice, since it was **denied for years** in MDL-2218 with a spate of bad legal arguments that the MDL court and the 11<sup>th</sup> Circuit accepted, forcing Congress to create a **new cause of action** just for Camp LeJeune victims.
3. Congress gave the Navy 6 months for every claim to allow time to settle with victims, but instead of doing that, Navy JAG sat silent and did not even offer the paltry Elective Option until now. The transcript shows that only 3 settlements have been made out of 117,000 claims. Dkt. [44-2](#), p. 38.
4. This is not a recipe for CLJA failure. CLJA failure has ***already happened***.
5. This Court should have ZERO tolerance for further delay and meritless, unexplained orders that deny a TRUE victim like me access to equitable relief in the form of a **temporary loan** to be repaid from my damage amount later.

6. There is no reasonable suggestion that I will lose. My evidence of presence and injury are rock solid, but are being ignored, and my suffering ignored so that God knows when that Court will finally get around to my case and provide me with the justice I have earned through my exposure and suffering. My life will be shortened up to 20 years because of this bipolar the government inflicted on me without any remorse or apology, but THE COURT wants me to wait up to 20 years with NO ASSISTANCE. Even my service dog suffers from the delay, the absolute lack of care of the judge below. We are not an academic exercise. We are REAL VICTIMS who need “relief from harm” (CLJA, SEC. 804(b)) right now, today, and ongoing forever.

WHEREFORE, I hope the Court will take notice that the court below is already threatening through suggestion that plaintiffs really may have their justice delayed for *decades more* when CLJA was meant to stop the waiting, stop the injustice. The poisoning started 70 years ago. In my case, 55 years ago and my mother's death nearly 27 years ago with no apology, no remorse from the government except a delayed CLJA that DOJ wishes it could avoid altogether. I want justice now before my world crashes down even more than it already has because American federal judges seem not to care about this holy and patriotic sacrifice. My father's USMC service meant death to my mother, tumors in him, 6 mental illnesses *inter alia* in me, and severe scoliosis in my daughter, not to mention alienation and suffering and poverty shattering our lives in every way imaginable. I have no health coverage and the government owes this to me. Imagine if it took 20 years for Social Security to start

paying out after Congress created the benefit in 1935. It would be an outrage, hurting poor seniors like that, just like this failure of justice is an ongoing outrage until every victim receives their full measure of justice. I have received NONE.

I, Andrew U. D. Straw, verify that the statements above are true and correct on penalty of perjury.

Signed this 10<sup>th</sup> day of November, 2023



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#### CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I electronically filed the foregoing **NOTICE** with the Clerk of Court using the CM/ECF system, which will serve the attached on all counsel of record. I also sent on this date a copy of this filing via U.S. Mail to the U.S. Department of Justice at the following address: P.O. Box 340, Ben Franklin Station, Washington, DC 20044-0340

Dated this 10<sup>th</sup> day of November, 2023



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